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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,696	11/17/2003	Jon Beecroft	SHP-PT079	5383
3624 7590 01/22/2009 VOLPE AND KOENIG, P.C. UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103				
EXAMINER OSMAN, RAMY M				
ART UNIT 2457		PAPER NUMBER		
MAIL DATE 01/22/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/7 14,696

Applicant(s)

BEECROFT ET AL.

Examiner

RAMY M. OSMAN

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is responsive to amendment filed on December 23, 2008, where Applicant amended claims 1,9,17. Claims 1-21 are pending.

Response to Arguments

2. Applicant's arguments, filed 12/23/08, with respect to the rejection(s) of claim(s) 1-21 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ikeda et al (US Patent No 5,623,688).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-21 rejected under 35 U.S.C. 102(b) as being anticipated by Ikeda et al (US Patent No 5,623,688).**

5. In reference to claim 1, Ikeda teaches a computer network comprising:

at least two processing nodes each having a processor on which one or more user processes are executed and a respective network interface (column 4 lines 14-41); and

a switching network which operatively connects the at least two processing nodes together, each network interface including a command processor and an addressable memory wherein the command processor is configured to allocate one or more segments of the addressable memory for the exclusive use of a user process as one or more command queues mapped by said network interface to said allocated addressable memory (see at least Abstract and claims 1-4).

6. In reference to claim 2, Ikeda teaches a computer network as claimed in claim 1, wherein each one of said memory segments allocated as command queues is a contiguous series of memory addresses (Summary and Figs 3-4).

7. In reference to claim 3, Ikeda teaches a computer network as claimed in claim 1, wherein each memory segment of the network interface memory allocated as a command queue has associated with it a queue descriptor which includes a user process identification (Abstract and claims 1-4).

8. In reference to claim 4, Ikeda teaches a computer network as claimed in claim 3, wherein each queue descriptor includes an insert pointer identifying within the allocated memory segment the memory address where new commands from the relevant user process are to be written (Abstract and claims 1-4).

9. In reference to claim 5, Ikeda teaches a computer network as claimed in claim 3, wherein each queue descriptor includes a completed pointer identifying within the allocated memory segment the memory address of the end of the most recent completed command (Abstract and claims 1-4).

10. In reference to claim 6, Ikeda teaches a computer network as claimed in claim 1, wherein the network interface includes a scheduler configured to Identify and schedule any active command queues in the network interface memory (Abstract and claims 1-4).

11. In reference to claim 7, Ikeda teaches a computer network as claimed in claim 6, wherein the scheduler has two or more run queues with at least one of the run queues being denominated a high priority run queue and at least one other of the run queues being denominated a low priority queue (Abstract and claims 1-4).

12. In reference to claim 8, Ikeda teaches a computer network as claimed in claim 1, wherein said network interface includes at least one of the following resources: a thread processor, short transaction engine and a DMA engine, and each command queue stored in said network interface memory has associated with it a corresponding one or more virtual resources (Abstract and claims 1-4).

13. In reference to claims 9-16, claims 9-16 are network interface claims that correspond to the computer network claims of claims 1-8. Therefore, claims 9-16 are rejected based upon the same rationale as the rejections of claims 1-8.

14. In reference to claims 17-21, claims 17-21 are method claims that correspond to the computer network claims of claims 1-8. Therefore, claims 17-21 are rejected based upon the same rationale as the rejections of claims 1-8.

Conclusion

15. The above rejections are based upon the broadest reasonable interpretation of the claims. Applicant is advised that the specified citations of the relied upon prior art, in the above rejections, are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and/or priority documents) is implied as being applied to teach the scope of the claims.

16. Applicant may not introduce any new matter to the claims or to the specification. For any subsequent response that contains new/amended claims, Applicant is required to cite its corresponding support in the specification. **(See MPEP chapter 2163.03 section (I.) and chapter 2163.04 section (I.) and chapter 2163.06)**

17. In formulating a response/amendment, Applicant is encouraged to take into consideration the prior art made of record but not relied upon, as it is considered pertinent to applicant's disclosure. See attached Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMY M. OSMAN whose telephone number is (571)272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ramy M Osman/
Primary Examiner (Temp), Art Unit 2457

January 16, 2009